Judge Julia Brand, Presiding Courtroom 1375 Calendar

Tuesday, October 18, 2016

**Hearing Room** 

1375

10:00 AM

**2:16-22038 Jorge Campos** 

Chapter 13

**#1.00** Motion for relief from stay [UD]

**RENE MOJICA** 

VS

**DEBTOR** 

Docket 11

#### **Tentative Ruling:**

On September 27, 2016, the Court entered an order dismissing the debtor's bankruptcy case. Movant has not made a sufficient showing of bad faith under 11 U.S.C. § 362(d)(4) for the Court to retain jurisdiction to hear this matter. Movant has asserted that the debtor filed one prior bankruptcy case affecting the subject property, that the debtor has filed only a "face-sheet" petition in the instant case, and that the debtor only listed a few creditors in his petition. However, none of these circumstances is sufficient for a showing of bad faith under § 362(d)(4). Accordingly, the hearing on this motion is now OFF CALENDAR. **Appearances waived.** 

#### **Party Information**

**Debtor(s):** 

Jorge Campos Pro Se

Movant(s):

Rene Mojica Represented By

Luke P Daniels

**Trustee(s):** 

Judge Julia Brand, Presiding Courtroom 1375 Calendar

Tuesday, October 18, 2016

**Hearing Room** 

1375

10:00 AM

2:14-12200 Raymond Chalmers Barron and Nancy Marie Barron

Chapter 13

Telephonic Hearing

#2.00 Motion for relief from stay [PP]

TOYOTA LEASE TRUST VS DEBTOR

Mark D. Estle to appear by telephone

Docket 39

#### **Tentative Ruling:**

No opposition was filed.

The motion is GRANTED pursuant to 11 U.S.C. § 362(d)(1) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim. Movant may not pursue any deficiency claim against the debtor or property of the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501. Movant is the lessor of the debtors' 2013 Lexus GS350. According to the evidence presented, the lease matured on July 1, 2016, and the debtors have not exercised their purchase option or returned the vehicle to Movant. This is "cause" to terminate the stay under 11 U.S.C. § 362(d) (1). **Appearances waived**.

The 14-day period specified in FRBP 4001(a)(3) is waived. This order shall be binding and effective despite any conversion of this bankruptcy case to a case under any other chapter of Title 11 of the United States Code. All other relief is denied.

The movant shall upload an appropriate order via the Court's LOU system.

#### **Party Information**

#### **Debtor(s):**

Raymond Chalmers Barron

Represented By

Page 2 of 47

Los Angeles Judge Julia Brand, Presiding Courtroom 1375 Calendar

Tuesday, October 18, 2016 Hear

**Hearing Room** 1375

10:00 AM

CONT... Raymond Chalmers Barron and Nancy Marie Barron

Chapter 13

Gary G Barsegian

**Joint Debtor(s):** 

Nancy Marie Barron Represented By

Gary G Barsegian

**Movant(s):** 

Toyota Lease Trust Represented By

Erica T Loftis

**Trustee(s):** 

Judge Julia Brand, Presiding Courtroom 1375 Calendar

Tuesday, October 18, 2016

**Hearing Room** 

1375

10:00 AM

2:16-16471 Carl Renay Hatcher

Chapter 13

Telephonic Hearing

#3.00 Motion for relief from stay [PP]

ALLY FINANCIAL VS DEBTOR

Adam N. Barasch to appear by telephone

Docket 34

#### **Tentative Ruling:**

No opposition was filed.

The motion is GRANTED pursuant to 11 U.S.C. § 362(d)(1) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim. Movant may not pursue any deficiency claim against the debtor or property of the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501. Movant is secured by a security interest and lien on the debtor's 2015 Nissan Versa. The debtor has failed to pay 4 post-petition payments. This is "cause" to terminate the stay under 11 U.S.C. § 362(d) (1). **Appearances waived**.

The 14-day period specified in FRBP 4001(a)(3) is waived. This order shall be binding and effective despite any conversion of this bankruptcy case to a case under any other chapter of Title 11 of the United States Code. The stay having been terminated as to the debtor and no opposition having been filed by the codebtor, movant is granted relief as to any codebtor on the sale contract pursuant to 11 U.S.C. § 1301(d). **All other relief is denied.** 

The movant shall upload an appropriate order via the Court's LOU system.

#### **Party Information**

Los Angeles

Judge Julia Brand, Presiding Courtroom 1375 Calendar

Tuesday, October 18, 2016

**Hearing Room** 

1375

10:00 AM

**CONT...** Carl Renay Hatcher

Chapter 13

**Debtor(s):** 

Carl Renay Hatcher Represented By

Claudia L Phillips

**Movant(s):** 

Ally Financial Represented By

Adam N Barasch

**Trustee(s):** 

Judge Julia Brand, Presiding Courtroom 1375 Calendar

Tuesday, October 18, 2016

**Hearing Room** 

1375

10:00 AM

2:16-17153 Patrick Benjamin Kinsley

Chapter 13

Telephonic Hearing

**#4.00** Motion for relief from stay [PP]

DAIMLER TRUST VS DEBTOR

John H. Kim to appear by telephone

Docket 23

#### **Tentative Ruling:**

No opposition was filed. The Court takes judicial notice of the Chapter 13 Plan filed in this case on May 27, 2016 in which the debtor stated an intention to surrender the property to movant.

The motion is GRANTED pursuant to 11 U.S.C. § 362(d)(1) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim. Movant may not pursue any deficiency claim against the debtor or property of the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501. Movant is the lessor of the debtor's 2013 Mercedes Benz C350. According to the evidence presented, the lease matured on April 13, 2016. Movant regained possession of the vehicle pre-petition, but a deficiency balance is still due and owing. Also, the debtor did not provide movant with proof of insurance on the vehicle. These circumstances are "cause" to terminate the stay under 11 U.S.C. § 362(d)(1). **Appearances waived**.

The 14-day period specified in FRBP 4001(a)(3) is waived. This order shall be binding and effective despite any conversion of this bankruptcy case to a case under any other chapter of Title 11 of the United States Code. <u>All other relief is denied.</u>

The movant shall upload an appropriate order via the Court's LOU system.

**Party Information** 

Los Angeles

Judge Julia Brand, Presiding Courtroom 1375 Calendar

Tuesday, October 18, 2016

**Hearing Room** 

1375

10:00 AM

**CONT...** Patrick Benjamin Kinsley

Chapter 13

**Debtor(s):** 

Patrick Benjamin Kinsley Represented By

Michael E Clark

**Movant(s):** 

Daimler Trust Represented By

Jennifer H Wang

**Trustee(s):** 

Los Angeles Judge Julia Brand, Presiding Courtroom 1375 Calendar

Tuesday, October 18, 2016

**Hearing Room** 

1375

10:00 AM

**2:12-26243 Bobbie Joe Bennett** 

Chapter 13

Telephonic Hearing

#5.00 Motion for relief from stay [RP]

NEW PENN FINANCIAL, LLC

VS

**DEBTOR** 

Merdaud Jafarnia for creditor to appear by telephone Gary Leibowitz for debtor to appear by telephone

Docket 44

**Tentative Ruling:** 

None.

**Party Information** 

**Debtor(s):** 

Bobbie Joe Bennett Represented By

Gary Leibowitz

**Movant(s):** 

New Penn Financial, LLC d/b/a Represented By

Kelly M Raftery

**Trustee(s):** 

Judge Julia Brand, Presiding Courtroom 1375 Calendar

Tuesday, October 18, 2016

**Hearing Room** 

1375

10:00 AM 2:12-32250

Wolfgang Schleicher and Stephanie Marie Schleicher

Chapter 13

Telephonic Hearing

#6.00 Motion for relief from stay [RP]

US BANK NATIONAL ASSOCIATION VS DEBTOR

Joseph C Delmotte to apear by telephone

Docket 36

### **Tentative Ruling:**

No opposition was filed. The Court takes judicial notice of the Chapter 13 Plan filed in this case on October 21, 2013 in which the debtors stated an intention to surrender the property to movant.

The motion is GRANTED pursuant to 11 U.S.C. § 362(d)(1) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim. Movant may not pursue any deficiency claim against the debtor or property of the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501. Movant is secured by a deed of trust encumbering the debtors' residence. The debtors have failed to pay 39 postpetition payments. This is cause to terminate the automatic stay. See Ellis v. Parr (In re Ellis), 60 B.R. 432, 434-35 (9th Cir. BAP 1985). Appearances waived.

The 14-day period specified in FRBP 4001(a)(3) is waived. The stay having been terminated as to the debtor and no opposition having been filed by the codebtor, movant is granted relief as to any codebtor on the note pursuant to 11 U.S.C. § 1301 (d). Movant, or its agents, may, at its option, offer, provide and enter into a potential forbearance agreement, loan modification, refinance agreement or other loan workout or loss mitigation agreement. Movant, through its servicing agent, may contact the Debtor by telephone or written correspondence to offer such an agreement. Any such

Judge Julia Brand, Presiding Courtroom 1375 Calendar

Tuesday, October 18, 2016

**Hearing Room** 

1375

10:00 AM

CONT... Wolfgang Schleicher and Stephanie Marie Schleicher

Chapter 13

agreement shall be nonrecourse unless stated in a reaffirmation agreement. <u>All other</u> relief is denied.

The movant shall upload an appropriate order via the Court's LOU system.

**Party Information** 

**Debtor(s):** 

Wolfgang Schleicher Represented By

Brad Weil

**Joint Debtor(s):** 

Stephanie Marie Schleicher Represented By

Brad Weil

**Movant(s):** 

US BANK NATIONAL Represented By

Joseph C Delmotte

**Trustee(s):** 

Nancy K Curry (TR) Represented By

Nancy K Curry (TR)

Judge Julia Brand, Presiding Courtroom 1375 Calendar

Tuesday, October 18, 2016

**Hearing Room** 

1375

10:00 AM

2:13-27194 Patricia Jones Rillera

Chapter 13

Telephonic Hearing

**#7.00** Motion for relief from stay [RP]

JPMORGAN CHASE BANK, NATIONAL

**ASSOCIATION** 

VS

**DEBTOR** 

Christina J. O to appear by telephone

Docket 93

**Tentative Ruling:** 

None.

**Party Information** 

**Debtor(s):** 

Patricia Jones Rillera Represented By

Eliza Ghanooni

**Movant(s):** 

JPMorgan Chase Bank, National Represented By

Christina J O

**Trustee(s):** 

## Judge Julia Brand, Presiding Courtroom 1375 Calendar

Tuesday, October 18, 2016

**Hearing Room** 

1375

<u>10:00 AM</u>

2:15-18381 Gabriela Quezada

Chapter 13

Telephonic Hearing

#8.00 Motion for relief from stay [RP]

U.S. BANK TRUST, N.A. VS DEBTOR

Christina J. O to appear by telephone

Docket 36

#### **Tentative Ruling:**

No opposition was filed.

The motion is GRANTED pursuant to 11 U.S.C. § 362(d)(1) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim. Movant may not pursue any deficiency claim against the debtor or property of the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501. Movant is secured by a deed of trust encumbering the debtor's residence. The debtor has failed to pay 3 post-petition payments. This is cause to terminate the automatic stay. See Ellis v. Parr (In re Ellis), 60 B.R. 432, 434-35 (9th Cir. BAP 1985). Appearances waived.

The 14-day period specified in FRBP 4001(a)(3) is waived. The stay having been terminated as to the debtor and no opposition having been filed by the codebtor, movant is granted relief as to any codebtor on the note pursuant to 11 U.S.C. § 1301 (d). Movant, or its agents, may, at its option, offer, provide and enter into a potential forbearance agreement, loan modification, refinance agreement or other loan workout or loss mitigation agreement. Movant, through its servicing agent, may contact the Debtor by telephone or written correspondence to offer such an agreement. Any such agreement shall be nonrecourse unless stated in a reaffirmation agreement. All other relief is denied.

The movant shall upload an appropriate order via the Court's LOU system.

Los Angeles Judge Julia Brand, Presiding Courtroom 1375 Calendar

Tuesday, October 18, 2016

**Hearing Room** 

1375

10:00 AM

CONT... Gabriela Quezada

**Chapter 13** 

**Party Information** 

**Debtor(s):** 

Gabriela Quezada Represented By

Juanita V Miller

**Movant(s):** 

U.S. Bank Trust, N.A., As Trustee Represented By

Christina J O

**Trustee(s):** 

## Judge Julia Brand, Presiding Courtroom 1375 Calendar

Tuesday, October 18, 2016

**Hearing Room** 

1375

10:00 AM

2:15-28720 Byron Moore

Chapter 13

Telephonic Hearing

#9.00 Motion for relief from stay [RP]

U.S. BANK TRUST, N.A. VS DEBTOR

Brandye Foreman to appear by telephone

Docket 41

#### **Tentative Ruling:**

No opposition was filed.

The motion is GRANTED pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(4) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim. Movant may not pursue any deficiency claim against the debtor or property of the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501. Movant is secured by a deed of trust encumbering real property. The debtor received an interest in the property through an unauthorized grant deed. The debtor has failed to pay 9 post-petition payments. The court finds that the filing of the petition was part of a scheme to hinder, delay and defraud creditors involving a transfer of all or part ownership of, or other interest in, the subject property without the consent of the movant or court approval and multiple bankruptcy filings affecting the subject property. 11 U.S.C. § 362(d)(4). Appearances waived.

The 14-day period specified in FRBP 4001(a)(3) is waived. This order shall be binding and effective despite any conversion of this bankruptcy case to a case under any other chapter of Title 11 of the United States Code. Provided the order is recorded in compliance with applicable state law, the order granting this motion will be binding and effective in any other case under this title purporting to affect the

Judge Julia Brand, Presiding Courtroom 1375 Calendar

Tuesday, October 18, 2016

**Hearing Room** 

1375

10:00 AM

#### **CONT...** Byron Moore

Chapter 13

subject property filed not later than 2 years after the date of entry of the order, except that the debtor in a subsequent case under this title may move for relief from such order based upon changed circumstances or for good cause shown, after notice and a hearing. 11 U.S.C. § 362(d)(4). **All other relief is denied.** 

Movant shall upload an appropriate order via the Court's LOU system.

#### **Party Information**

**Debtor(s):** 

Byron Moore Represented By

Claudia L Phillips

**Movant(s):** 

U.S. Bank Trust, N.A., as Trustee Represented By

Brandye N Foreman

**Trustee(s):** 

Los Angeles Judge Julia Brand, Presiding Courtroom 1375 Calendar

Tuesday, October 18, 2016

**Hearing Room** 

1375

10:00 AM

2:15-29069 Rosario Vergara

Chapter 13

Telephonic Hearing

#10.00 Motion for relief from stay [RP]

WELLS FARGO BANK, N.A.

VS

**DEBTOR** 

Merdaud Jafarnia to appear by telephone

Docket 47

**Tentative Ruling:** 

None.

**Party Information** 

**Debtor(s):** 

Rosario Vergara Represented By

Luis G Torres

**Movant(s):** 

Wells Fargo Bank, N.A., Its

Represented By

Merdaud Jafarnia Corey Phuse Kelly M Raftery

**Trustee(s):** 

# Judge Julia Brand, Presiding Courtroom 1375 Calendar

Tuesday, October 18, 2016

**Hearing Room** 

1375

10:00 AM

2:16-18945 George C Rico

Chapter 13

#11.00 Motion for relief from stay [RP]

WELLS FARGO BANK, NA VS

DEBTOR

Case dismissed 10/3/16

Docket 33

#### **Tentative Ruling:**

Debtor's case was dismissed on October 3, 2016; however, because movant has requested in rem / (d)(4) relief, the Court will retain its jurisdiction to hear the matter under 11 U.S.C. § 362.

No opposition was filed.

The motion is GRANTED pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(4) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim. Movant may not pursue any deficiency claim against the debtor or property of the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501. Movant is secured by a deed of trust encumbering real property. The debtor received an interest in the property through an unauthorized quitclaim deed. The debtor has failed to pay 3 post-petition payments. The court finds that the filing of the petition was part of a scheme to hinder, delay <u>and</u> defraud creditors involving a transfer of all or part ownership of, or other interest in, the subject property without the consent of the movant or court approval and multiple bankruptcy filings affecting the subject property. 11 U.S.C. § 362(d)(4). <u>Appearances waived</u>.

The 14-day period specified in FRBP 4001(a)(3) is waived. This order shall be binding and effective despite any conversion of this bankruptcy case to a case under any other chapter of Title 11 of the United States Code. Movant, or its agents,

Judge Julia Brand, Presiding Courtroom 1375 Calendar

Tuesday, October 18, 2016

**Hearing Room** 

1375

10:00 AM

#### **CONT...** George C Rico

Chapter 13

may, at its option, offer, provide and enter into a potential forbearance agreement, loan modification, refinance agreement or other loan workout or loss mitigation agreement. Movant, through its servicing agent, may contact the Debtor by telephone or written correspondence to offer such an agreement. Any such agreement shall be nonrecourse unless stated in a reaffirmation agreement. Provided the order is recorded in compliance with applicable state law, the order granting this motion will be binding and effective in any other case under this title purporting to affect the subject property filed not later than 2 years after the date of entry of the order, except that the debtor in a subsequent case under this title may move for relief from such order based upon changed circumstances or for good cause shown, after notice and a hearing. 11 U.S.C. § 362(d)(4). All other relief is denied.

Movant shall upload an appropriate order via the Court's LOU system.

#### **Party Information**

**Debtor(s):** 

George C Rico Pro Se

**Movant(s):** 

Wells Fargo Bank, N.A. Represented By

Brandye N Foreman

**Trustee(s):** 

Judge Julia Brand, Presiding Courtroom 1375 Calendar

Tuesday, October 18, 2016

**Hearing Room** 

1375

<u>10:00 AM</u>

2:16-20330 Shin Young Han

Chapter 13

Telephonic Hearing

#12.00 Motion for relief from stay [RP]

WELLS FARGO BANK VS DEBTOR

Case dismissed 8/22/16

Notice of Movant's intent to proceed on motion despite dismissal filed 9/26/16

Mark D. Estle to appear by telephone

Docket 11

#### **Tentative Ruling:**

Debtor's case was dismissed on August 22, 2016; however, because movant has requested in rem / (d)(4) relief, the Court will retain its jurisdiction to hear the matter under 11 U.S.C. § 362.

No opposition was filed.

The motion is GRANTED pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(4) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim. Movant may not pursue any deficiency claim against the debtor or property of the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501. Movant is secured by a deed of trust encumbering real property. The debtor received an interest in the property through an unauthorized quitclaim deed. The court finds that the filing of the petition was part of a scheme to hinder, delay <u>and</u> defraud creditors involving a transfer of all or part ownership of, or other interest in, the subject property without

Judge Julia Brand, Presiding Courtroom 1375 Calendar

Tuesday, October 18, 2016

**Hearing Room** 

1375

10:00 AM

#### **CONT...** Shin Young Han

Chapter 13

the consent of the movant or court approval and multiple bankruptcy filings affecting the subject property. 11 U.S.C. § 362(d)(4). **Appearances waived**.

Movant requests in the motion that "extraordinary relief" be granted by the Court. An order prohibiting for 180 days, or longer, the subsequent filing of a bankruptcy case by the debtor or by another person or entity to whom the subject property may be transferred is in the nature of an injunction not specifically authorized by the Bankruptcy Code. Johnson v. TRE Holdings LLC (In re Johnson), 346 B.R. 190, 196 (9th Cir. BAP 2006). Nor does there "appear to be direct statutory authority for an order that bans the filing of future bankruptcy cases by other persons, bans automatic stays in future cases, and authorizes the sheriff to ignore a future bankruptcy case when conducting an eviction." In re Van Ness, 399 B.R. 897, 903 (Bankr. E.D. Cal. 2009). Therefore, a motion is not the appropriate vehicle for obtaining the "extraordinary relief" requested. Movant must seek this aspect of relief by adversary proceeding. Johnson, 346 B.R. at 195. Accordingly, the movant's request for "extraordinary relief" is denied.

The 14-day period specified in FRBP 4001(a)(3) is waived. This order shall be binding and effective despite any conversion of this bankruptcy case to a case under any other chapter of Title 11 of the United States Code. The stay having been terminated as to the debtor and no opposition having been filed by the codebtor, movant is granted relief as to any codebtor on the note pursuant to 11 U.S.C. § 1301 (d). Movant, or its agents, may, at its option, offer, provide and enter into a potential forbearance agreement, loan modification, refinance agreement or other loan workout or loss mitigation agreement. Movant, through its servicing agent, may contact the Debtor by telephone or written correspondence to offer such an agreement. Any such agreement shall be nonrecourse unless stated in a reaffirmation agreement. Provided the order is recorded in compliance with applicable state law, the order granting this motion will be binding and effective in any other case under this title purporting to affect the subject property filed not later than 2 years after the date of entry of the order, except that the debtor in a subsequent case under this title may move for relief from such order based upon changed circumstances or for good cause shown, after notice and a hearing. 11 U.S.C. § 362(d)(4). All other relief is denied.

Movant shall upload an appropriate order via the Court's LOU system.

#### **Party Information**

# Los Angeles Judge Julia Brand, Presiding

Courtroom 1375 Calendar

Tuesday, October 18, 2016

**Hearing Room** 13

1375

<u>10:00 AM</u>

**CONT...** Shin Young Han

Chapter 13

**Debtor(s):** 

Shin Young Han

Pro Se

**Movant(s):** 

WELLS FARGO BANK, N. A.

Represented By Erica T Loftis

**Trustee(s):** 

Nancy K Curry (TR)

Pro Se

Judge Julia Brand, Presiding Courtroom 1375 Calendar

Tuesday, October 18, 2016

**Hearing Room** 

1375

<u>10:00 AM</u>

2:16-21303 Heriberto Moreno

Chapter 13

Telephonic Hearing

#13.00 Motion for relief from stay [RP]

U.S. BANK NATIONAL ASSOCIATION VS DEBTOR

Erin M. McCartney to appear by telephone

Docket 14

#### **Tentative Ruling:**

No opposition was filed.

The motion is GRANTED pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(4) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim. Movant may not pursue any deficiency claim against the debtor or property of the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501. Movant is secured by a deed of trust encumbering real property. The debtor received an interest in the property through an unauthorized grant deed. The court finds that the filing of the petition was part of a scheme to hinder, delay <u>and</u> defraud creditors involving a transfer of all or part ownership of, or other interest in, the subject property without the consent of the movant or court approval and multiple bankruptcy filings affecting the subject property. 11 U.S.C. § 362(d)(4). <u>Appearances waived</u>.

The 14-day period specified in FRBP 4001(a)(3) is waived. This order shall be binding and effective despite any conversion of this bankruptcy case to a case under any other chapter of Title 11 of the United States Code. Movant, or its agents, may, at its option, offer, provide and enter into a potential forbearance agreement, loan modification, refinance agreement or other loan workout or loss mitigation agreement. Movant, through its servicing agent, may contact the Debtor by telephone or written correspondence to offer such an agreement. Any such agreement shall be

Judge Julia Brand, Presiding Courtroom 1375 Calendar

Tuesday, October 18, 2016

**Hearing Room** 

1375

10:00 AM

#### **CONT...** Heriberto Moreno

Chapter 13

nonrecourse unless stated in a reaffirmation agreement. Provided the order is recorded in compliance with applicable state law, the order granting this motion will be binding and effective in any other case under this title purporting to affect the subject property filed not later than 2 years after the date of entry of the order, except that the debtor in a subsequent case under this title may move for relief from such order based upon changed circumstances or for good cause shown, after notice and a hearing. 11 U.S.C. § 362(d)(4). The stay is **annulled** retroactive to the petition date, so that enforcement actions taken by movant, if any, before receipt of notice of the automatic stay will not be deemed to have been voided by the automatic stay. <u>See Nat'l Envtl. Waste Corp. v. City of Riverside (In re Nat'l Envtl. Waste Corp.)</u>, 129 F.3d 1052, 1055 (9th Cir. 1997). **All other relief is denied.** 

Movant shall upload an appropriate order via the Court's LOU system.

#### **Party Information**

**Debtor(s):** 

Heriberto Moreno Pro Se

**Movant(s):** 

U.S. Bank National Association, not Represented By

Erin M McCartney

**Trustee(s):** 

Judge Julia Brand, Presiding Courtroom 1375 Calendar

Tuesday, October 18, 2016

**Hearing Room** 

1375

10:00 AM

2:16-21370 Jeffrey Palacios

Chapter 13

#14.00 Motion for relief from stay [RP]

DLI PROPERTIES, LLC VS DEBTOR

Docket 11

### **Tentative Ruling:**

Debtor's case was dismissed on August 26, 2016; however, because movant has requested in rem / (d)(4) relief and for the Court to annul the stay, the Court will retain its jurisdiction to hear the matter under 11 U.S.C. § 362.

No opposition was filed.

The motion is GRANTED pursuant to 11 U.S.C. § 362(d)(1). Movant purchased the subject property at a nonjudicial foreclosure sale. Based on the evidence presented, Movant was not aware of Debtor's bankruptcy filing at the time of the sale. Accordingly, the Court grants Movant's request for annulment of the automatic stay. The stay is **annulled** retroactive to the petition date, so that enforcement actions taken by Movant, if any, before receipt of notice of the automatic stay will not be deemed to have been voided by the automatic stay. See Nat'l Envtl. Waste Corp. v. City of Riverside (In re Nat'l Envtl. Waste Corp.), 129 F.3d 1052, 1055 (9th Cir. 1997).

Movant has also requested relief from the automatic stay pursuant to 11 U.S.C. § 362(d)(2). However, Movant has failed to provide admissible evidence of the value of the subject property. Accordingly, Movant's request for relief from stay under § 362(d)(2) is denied.

Further, Movant has requested that the Court grant in rem relief under 11 U.S.C. § 362(d)(4). However, Movant is a purchaser at a trustee's sale for which this Court does not grant such relief. **Accordingly, Movant's request for in rem relief is denied.** 

Judge Julia Brand, Presiding Courtroom 1375 Calendar

Tuesday, October 18, 2016

**Hearing Room** 

1375

10:00 AM

**CONT...** Jeffrey Palacios

Chapter 13

Finally, Movant requests in the motion that "extraordinary relief" be granted by the Court. An order prohibiting for 180 days, or longer, the subsequent filing of a bankruptcy case by the debtor or by another person or entity to whom the subject property may be transferred is in the nature of an injunction not specifically authorized by the Bankruptcy Code. <u>Johnson v. TRE Holdings LLC (In re Johnson)</u>, 346 B.R. 190, 196 (9th Cir. BAP 2006). Nor does there "appear to be direct statutory authority for an order that bans the filing of future bankruptcy cases by other persons, bans automatic stays in future cases, and authorizes the sheriff to ignore a future bankruptcy case when conducting an eviction." <u>In re Van Ness</u>, 399 B.R. 897, 903 (Bankr. E.D. Cal. 2009). Therefore, a motion is not the appropriate vehicle for obtaining the "extraordinary relief" requested. Movant must seek this aspect of relief by adversary proceeding. <u>Johnson</u>, 346 B.R. at 195. <u>Accordingly, the movant's request for "extraordinary relief" is denied.</u>

The movant shall upload an appropriate order via the Court's LOU system.

#### **Party Information**

**Debtor(s):** 

Jeffrey Palacios Pro Se

**Movant(s):** 

DLI Properties, LLC Represented By

Harris L Cohen

**Trustee(s):** 

# Judge Julia Brand, Presiding Courtroom 1375 Calendar

Tuesday, October 18, 2016

**Hearing Room** 

1375

10:00 AM 2:16-21817

Maria O. Ahumada

Chapter 13

#15.00

Motion in Individual Case for Order Imposing a Stay or Continuing Stay as the Court Deems Appropriate

fr. 9-29-16

Docket 20

### **Tentative Ruling:**

The Court continued this matter to allow creditors and other interested parties additional time to respond to Debtor's motion. To date, no opposition has been filed. Accordingly, the Court grants Debtor's motion as provided below.

Section 362(c)(3)(A) states that if a single or joint case is filed by or against a debtor who is an individual in a case under chapter 7, 11, or 13, and if a single or joint case of the debtor was pending within the preceding one-year period but was dismissed, other than a case refiled under a chapter other than chapter 7 after dismissal under § 707(b), the stay under § 362(a) with respect to any action taken with respect to a debt or property securing such debt or with respect to any lease shall terminate with respect to the debtor on the 30th day after the filing of the later case. 11 U.S.C. § 362(c)(3)(A) (emphasis added).

On motion of a party in interest for *continuation* of the automatic stay and upon notice and a hearing, the Court may extend the stay in particular cases as to any and all creditors (subject to such conditions and limitations as the Court may then impose) **after notice and a hearing completed before expiration of the 30-day period** only if the party in interest demonstrates that the filing of the later case is in *good faith* as to the creditors to be stayed. 11 U.S.C. § 362(c)(3)(B) (emphases added).

In this case, debtor filed the voluntary chapter 13 petition on September 2, 2016. This motion was filed on September 23, 2016, and was noticed for a hearing to be concluded within the 30-day period following the filing of the petition. The motion is timely.

# Judge Julia Brand, Presiding Courtroom 1375 Calendar

Tuesday, October 18, 2016

**Hearing Room** 

1375

10:00 AM

**CONT...** Maria O. Ahumada

Chapter 13

According to the evidence, debtor seeks a continuation of the automatic stay as to all creditors. Pursuant to the evidence presented, the Court GRANTS the relief requested in the motion based upon an apparent change in the personal and financial affairs of the debtor since dismissal of the last case. **Appearances waived**.

Debtor's counsel shall upload an appropriate order via the Court's LOU system.

#### **Party Information**

**Debtor(s):** 

Maria O. Ahumada Represented By

Ali R Nader

**Movant(s):** 

Maria O. Ahumada Represented By

Ali R Nader

**Trustee(s):** 

## Judge Julia Brand, Presiding Courtroom 1375 Calendar

Tuesday, October 18, 2016

**Hearing Room** 

1375

10:00 AM

2:16-18763 Anita Zommers Dollens

Chapter 7

Telephonic Hearing

#16.00 Motion for relief from stay [PP]

DAIMLER TRUST VS DEBTOR

John H. Kim to appear by telephone

Docket 10

#### **Tentative Ruling:**

No opposition was filed.

The motion is GRANTED pursuant to 11 U.S.C. § 362(d)(1) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim. Movant may not pursue any deficiency claim against the debtor or property of the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501.

Movant is the lessor of the debtor's 2014 Mercedes-Benz C250. According to the evidence, the lease matured on September 1, 2016, and to date, the debtor has not returned the vehicle to Movant or exercised her option to purchase the vehicle. Also, the debtor has not provided Movant with proof of insurance on the vehicle. This is "cause" to terminate the stay under 11 U.S.C. § 362(d)(1).

The 14-day stay of FRBP 4001(a)(3) is ordered waived due to the fact that the movant's collateral is being used by the debtor without compensation and is depreciating in value. This order shall be binding and effective despite any conversion of this bankruptcy case to a case under any other chapter of Title 11 of the United States Code. **All other relief is denied.** 

The movant shall submit an appropriate order.

Los Angeles

Judge Julia Brand, Presiding Courtroom 1375 Calendar

Tuesday, October 18, 2016

**Hearing Room** 

1375

10:00 AM

**CONT...** Anita Zommers Dollens

**Chapter 7** 

**Party Information** 

**Debtor(s):** 

Anita Zommers Dollens Represented By

Heather J Canning

**Movant(s):** 

Daimler Trust Represented By

Jennifer H Wang

**Trustee(s):** 

Elissa Miller (TR) Pro Se

Judge Julia Brand, Presiding Courtroom 1375 Calendar

Tuesday, October 18, 2016

**Hearing Room** 

1375

<u>10:00 AM</u>

2:15-17693 Mark Allen Harris

Chapter 11

Telephonic Hearing

#17.00 Motion for relief from stay [RP]

CHRISTOPHER B HARRIS

VS

**DEBTOR** 

Benjamin R. Levinson to appear by telephone

Docket 99

**Tentative Ruling:** 

None.

**Party Information** 

**Debtor(s):** 

Mark Allen Harris Represented By

Peter M Lively

**Movant(s):** 

CHRISTOPHER B. HARRIS, AS Represented By

Benjamin R Levinson ESQ

Judge Julia Brand, Presiding Courtroom 1375 Calendar

Tuesday, October 18, 2016

**Hearing Room** 

1375

10:00 AM

**2:16-21799** Nxxlvl Group Corp

Chapter 11

Telephonic Hearing

#18.00 Motion for relief from stay [PP]

FINANCIAL SERVICES VEHICLE TRUST

VS

**DEBTOR** 

fr 10-11-16

**RE: 2015 BMW X5** 

Timothy J. Silverman to appear by telephone

Docket 25

**Tentative Ruling:** 

None.

**Party Information** 

**Debtor(s):** 

Nxxlvl Group Corp Represented By

Matthew Abbasi

**Movant(s):** 

Financial Services Vehicle Trust Represented By

Timothy J Silverman

Judge Julia Brand, Presiding Courtroom 1375 Calendar

Tuesday, October 18, 2016

**Hearing Room** 

1375

10:00 AM

**2:16-21799** Nxxlvl Group Corp

**Chapter 11** 

#19.00 Motion for relief from stay [PP]

FINANCIAL SERVICES VEHICLE TRUST

VS

**DEBTOR** 

fr 10-11-16

RE: 2015 BMW 535i

Docket 24

**Tentative Ruling:** 

None.

**Party Information** 

**Debtor(s):** 

Nxxlvl Group Corp Represented By

Matthew Abbasi

**Movant(s):** 

Financial Services Vehicle Trust Represented By

Timothy J Silverman

Judge Julia Brand, Presiding Courtroom 1375 Calendar

Tuesday, October 18, 2016

**Hearing Room** 

1375

10:00 AM

2:16-21799 Nxxlvl Group Corp

**Chapter 11** 

#20.00 Motion for relief from stay [PP]

FINANCIAL SERVICES VEHICLE TRUST

VS

**DEBTOR** 

fr 10-11-16

**RE: 2015 BMW X6** 

Docket 23

**Tentative Ruling:** 

None.

**Party Information** 

**Debtor(s):** 

Nxxlvl Group Corp Represented By

Matthew Abbasi

**Movant(s):** 

Financial Services Vehicle Trust Represented By

Timothy J Silverman

# Judge Julia Brand, Presiding Courtroom 1375 Calendar

Tuesday, October 18, 2016

**Hearing Room** 

1375

10:00 AM

**2:16-13999** Leonardo Uribe

Chapter 13

Telephonic Hearing

#21.00 Motion for relief from stay [RP]

U.S. BANK NATIONAL ASSOCIATION VS DEBTOR

Brandye Foreman to appear by telephone

Docket 39

#### **Tentative Ruling:**

No opposition was filed.

The motion is GRANTED pursuant to 11 U.S.C. § 362(d)(1) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim. Movant may not pursue any deficiency claim against the debtor or property of the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501. Movant is secured by a deed of trust encumbering the debtor's residence. The debtor has failed to pay 3 post-petition payments. This is cause to terminate the automatic stay. See Ellis v. Parr (In re Ellis), 60 B.R. 432, 434-35 (9th Cir. BAP 1985). Appearances waived.

The 14-day period specified in FRBP 4001(a)(3) is waived. Movant, or its agents, may, at its option, offer, provide and enter into a potential forbearance agreement, loan modification, refinance agreement or other loan workout or loss mitigation agreement. Movant, through its servicing agent, may contact the Debtor by telephone or written correspondence to offer such an agreement. Any such agreement shall be nonrecourse unless stated in a reaffirmation agreement. All other relief is denied.

The movant shall upload an appropriate order via the Court's LOU system.

#### **Party Information**

**Los Angeles** 

Judge Julia Brand, Presiding Courtroom 1375 Calendar

Tuesday, October 18, 2016

**Hearing Room** 

1375

10:00 AM

**CONT...** Leonardo Uribe

Chapter 13

**Debtor(s):** 

Leonardo Uribe Represented By

Terrence Fantauzzi

**Movant(s):** 

U.S. Bank National Association, as Represented By

Brandye N Foreman

**Trustee(s):** 

**Los Angeles** 

#### Judge Julia Brand, Presiding Courtroom 1375 Calendar

Tuesday, October 18, 2016

**Hearing Room** 

1375

2:00 PM

**2:12-51890** Ammie Lubag

Chapter 13

Adv#: 2:16-01315 Lubag v. Tolentino et al

#### Telephonic Hearing

**#1.00** Status Conference re Complaint for:

- 1) quieting of title
- 2) declaratory relief
- 3) injunctive reliefs

## Bernard J. Kornberg to appear by telephone

Docket 5

**Tentative Ruling:** 

None.

#### **Party Information**

**Debtor(s):** 

Ammie Lubag Represented By

Mariano A Alvarez

**Defendant(s):** 

Lalaine Tolentino Pro Se

Wells Fargo Bank, N.A. a/k/a Represented By

Bernard J Kornberg

Roberto Belleza Tolentino Pro Se

**Plaintiff(s):** 

Ammie Lubag Represented By

Mariano A Alvarez

**Trustee(s):** 

Los Angeles Judge Julia Brand, Presiding Courtroom 1375 Calendar

Tuesday, October 18, 2016

**Hearing Room** 

1375

2:00 PM

2:16-16568 Okechukwu Ukaegbe

Chapter 7

Adv#: 2:16-01362 United States Trustee (LA) v. Ukaegbe

#2.00 Status Conference re Complaint for denial of discharge pursuant to 11 U.S.C. Sections 727(a)(4)(A) and (D)

Docket 1

#### **Tentative Ruling:**

None.

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1 al tv	IIIIVII	паичп

**Debtor(s):** 

Okechukwu Ukaegbe Pro Se

**Defendant(s):** 

Okechukwu Ukaegbe Pro Se

**Plaintiff(s):** 

United States Trustee (LA) Represented By

Kenneth G Lau

**Trustee(s):** 

Carolyn A Dye (TR) Pro Se

Judge Julia Brand, Presiding Courtroom 1375 Calendar

Tuesday, October 18, 2016

**Hearing Room** 

1375

2:00 PM

#### 2:16-14882 Lance Arthur Keating

Chapter 13

Adv#: 2:16-01282 US Rof III Legal Title Trust 2015-1 By US Bank Nat v. Keating

#3.00 Motion to Remand Case Against Defendant

Docket 2

#### **Tentative Ruling:**

#### Appearances required.

On June 21, 2016, debtor and defendant Lance Arthur Keating ("Debtor") filed a notice of removal of the parties' state court action, initiating an adversary proceeding ("Removed Action") (Adv. Pro. Case No. 16-ap-01282). Plaintiff U.S. ROF III Legal Title Trust 2015-1, by and through legal title trustee U.S. Bank, N.A. ("Plaintiff"), filed a motion for remand of the Removed Action ("Remand Motion") and set the matter for hearing on October 18, 2016 at 2:00 p.m. The Court now grants the Remand Motion for the reasons stated below.

The Removed Action is an unlawful detainer proceeding involving certain real property ("the Property") that Debtor formerly owned and that was his principal residence. Plaintiff completed a pre-petition, nonjudicial foreclosure sale of the Property and was the highest bidder at the sale. Plaintiff then filed the Removed Action against Debtor on January 15, 2016 in Los Angeles Superior Court. Debtor filed an answer to Plaintiff's complaint, along with a notice of removal, which removed the Removed Action to the U.S. District Court for the Central District of California. On March 31, 2016, the district court remanded the Removed Action back to state court for lack of federal subject matter jurisdiction.

Two weeks later on April 15, 2016, Debtor filed his Chapter 13 petition. Shortly thereafter, Plaintiff moved for relief from the automatic stay to proceed with the Removed Action in state court. This Court granted such relief on June 7, 2016. See Bankr. Docket No. 22. Three weeks later, Debtor removed the Removed Action to this Court, asserting in his notice of removal that this Court has federal question jurisdiction and that Plaintiff has committed numerous violations of federal law, including denial of due process, civil rights violations under 42 U.S.C. § 1981, securities fraud, mail fraud under 18 U.S.C. § 1341, violations of the Fair Debt

Judge Julia Brand, Presiding Courtroom 1375 Calendar

Tuesday, October 18, 2016

**Hearing Room** 

1375

2:00 PM

#### **CONT...** Lance Arthur Keating

Chapter 13

Collection Practices Act, and violations of the Truth in Lending Act.

With regard to Debtor's jurisdiction argument, the Court finds that Debtor's claims of various federal law violations are not sufficient to establish federal subject matter jurisdiction. Although the claims listed in Debtor's notice of removal may serve as defenses to the allegations in Plaintiff's unlawful detainer complaint or affirmative claims that Debtor may believe he has against Plaintiff, these claims cannot serve as a basis for federal question jurisdiction, which depends purely on the plaintiff's statement of its claims in the complaint. Franchise Tax Bd. of Cal. v. Constr. Laborers Vacation Trust for S. Cal., 463 U.S. 1, 10 (1983) (quoting Taylor v. Anderson, 234 U.S. 74, 75-76 (1914)), superseded on other grounds, 28 U.S.C. § 1441 (2016). The complaint at issue is an unlawful detainer complaint under state law, and it does not establish federal subject matter jurisdiction.

Thus, the Court finds that it has no federal question jurisdiction independent of bankruptcy "arising under," "arising in," or "related to" jurisdiction. See 28 U.S.C. §§ 157(b)(2), 1334(b) (2016). In analyzing these three bases for bankruptcy court jurisdiction, the Court determines that the Removed Action does not "arise under" the Bankruptcy Code or "arise in" Debtor's bankruptcy case, as the Removed Action is an unlawful detainer proceeding brought entirely under state law. See 28 U.S.C. §§ 157 (b)(2), 1334(b); *In re* Ray, 624 F.3d 1124, 1131 (9th Cir. 2010). Further, the Court finds that the Removed Action is not "related to" Debtor's bankruptcy case, as its resolution will not have an impact on the administration of Debtor's case. *In re* Fietz, 852 F.2d 455, 457 (9th Cir. 1988). Thus, under § 157(b) and § 1334(b), this Court lacks jurisdiction over the Removed Action.

Debtor does not address the jurisdiction issue any further in his opposition to the Remand Motion. Instead, Debtor argues that the Court should deny the Remand Motion for Plaintiff's lack of standing. However, Plaintiff has standing to bring the Remand Motion due to the fact that Plaintiff filed the Removed Action in the first place. To the extent Debtor's challenges to Plaintiff's standing arise out of Debtor's various claims that the foreclosure sale was improper, these are affirmative claims that Debtor may seek to assert against Plaintiff, and to the extent they are defenses to the Removed Action, they must be raised in that proceeding when it is returned to state court. Further, Debtor's argument that his prior Chapter 7 discharge denies Plaintiff any standing to enforce its lien on the Property is not well taken: Debtor's discharge

Judge Julia Brand, Presiding Courtroom 1375 Calendar

Tuesday, October 18, 2016

**Hearing Room** 

1375

2:00 PM

#### **CONT...** Lance Arthur Keating

Chapter 13

only extinguished his personal liability for the debt, while the lien survived his Chapter 7 case. <u>Johnson v. Home State Bank</u>, 501 U.S. 78, 84 (1991); <u>In re Isom</u>, 901 F.2d 744, 745 (9th Cir. 1990). Thus, Debtor has failed to show that Plaintiff lacks standing to bring the Remand Motion.

The Court's findings on the jurisdiction and standing issues are sufficient grounds to grant the Remand Motion. However, the Court also finds that remand of the Removed Action is appropriate on equitable grounds. 28 U.S.C. § 1452(b) (2016). "This 'any equitable ground' remand standard is an unusually broad grant of authority. It subsumes and reaches beyond all of the reasons for remand under nonbankruptcy removal statutes." McCarthy v. Prince (In re McCarthy), 230 B.R. 414, 417 (B.A.P. 9th Cir. 1999). The "any equitable ground" standard is not statutorily defined. In exercising this "broad grant" of discretion, courts have traditionally looked to a number of factors to determine whether remand would be equitable in a given case. These factors have included, among other things, judicial economy, comity and respect for state court decision-making capabilities, the impact that remand would have upon the orderly administration of the debtor's bankruptcy case, the effect of bifurcating claims and parties to an action and the possibilities of inconsistent results, the predominance of state law issues and nondebtor parties, and the extent of any prejudice to nondebtor parties. See, e.g., W. Helicopters, Inc. v. Hiller Aviation, Inc., 97 B.R. 1, 2 (E.D. Cal. 1988).

Here, the Court finds that the above factors favor remand of the Removed Action on equitable grounds. As discussed previously, resolution of the Removed Action will have no effect on the administration of Debtor's bankruptcy case, especially since the foreclosure sale was completed pre-petition. Further, the Removed Action is an unlawful detainer proceeding that alleges only state law claims, which do not appear to involve difficult or unsettled points of law. Moreover, as discussed above, there is no separate jurisdictional basis for this Court to decide the Removed Action, and for purposes of comity, the Removed Action should instead be heard and decided by the state court. Finally, by removing the Removed Action to bankruptcy court, Debtor appears to be forum shopping, as the removal was filed a few weeks after the Court granted relief from the stay to Plaintiff to proceed with the Removed Action in state court.

Accordingly, for the reasons stated above, the Court GRANTS Plaintiff's

# Judge Julia Brand, Presiding Courtroom 1375 Calendar

Tuesday, October 18, 2016

**Hearing Room** 

1375

2:00 PM

#### **CONT...** Lance Arthur Keating

Chapter 13

Remand Motion and remands the Removed Action to the Superior Court of California, County of Los Angeles. Plaintiff shall upload an appropriate order via the Court's LOU system.

#### **Party Information**

**Debtor(s):** 

Lance Arthur Keating Pro Se

**Defendant(s):** 

Lance Arthur Keating Pro Se

**Plaintiff(s):** 

US Rof III Legal Title Trust 2015-1 Represented By

Brandye N Foreman

**Trustee(s):** 

**Los Angeles** 

#### Judge Julia Brand, Presiding Courtroom 1375 Calendar

Tuesday, October 18, 2016

**Hearing Room** 

1375

2:00 PM

2:14-27656 Carlo Bondanelli

Chapter 7

Adv#: 2:15-01611 Mastan v. Tieni et al

#4.00 Pretrial Conference re Complaint for declaratory

relief and permanent injunction

fr. 1-26-16; 3-22-16, 5-24-16; 8-23-16

Docket 1

## **Tentative Ruling:**

None.

#### **Party Information**

**Debtor(s):** 

Carlo Bondanelli Represented By

John D Monte

**Defendant(s):** 

Ocean Park SRL Pro Se

Francesco Tieni Pro Se

**Plaintiff(s):** 

Peter J Mastan Represented By

Rachel A Franzoia John P Reitman Aleksandra Zimonjic

**Trustee(s):** 

Peter J Mastan (TR)

Represented By

John P Reitman Rachel A Franzoia

Judge Julia Brand, Presiding Courtroom 1375 Calendar

Tuesday, October 18, 2016

**Hearing Room** 

1375

<u>2:00 PM</u>

CONT... Carlo Bondanelli

**Chapter 7** 

**U.S. Trustee(s):** 

United States Trustee (LA)

Pro Se

Judge Julia Brand, Presiding Courtroom 1375 Calendar

Tuesday, October 18, 2016

**Hearing Room** 

1375

2:00 PM

**2:15-20387** Michael Lee Allen

Chapter 13

Adv#: 2:15-01543 Schierberl v. Allen

Telephonic Hearing

#5.00 Pretrial Conference re Complaint to determine

dischargeability

fr. 12-15-15; 1-12-16; 3-22-16; 3-29-16; 8-23-16

NOTICE OF SETTLEMENT OF ADVERSARY FILED 8/3/16

Sara Tidd to appear by telephone

Docket

REASON: SETTLED PER COMPROMISE ORDER

\*\*\* VACATED \*\*\*
ENTERED 9/13/16

**Tentative Ruling:** 

**Party Information** 

**Debtor(s):** 

Michael Lee Allen Represented By

Michael Jones Sara Tidd

**Defendant(s):** 

Michael Lee Allen Represented By

Michael Jones Sara Tidd

**Plaintiff(s):** 

James Schierberl Represented By

John J Gulino

**Trustee(s):** 

Nancy K Curry (TR) Pro Se

10/17/2016 4:54:46 PM Page 44 of 47

Judge Julia Brand, Presiding Courtroom 1375 Calendar

Tuesday, October 18, 2016 Hearing Room 1375

2:00 PM

CONT... Michael Lee Allen Chapter 13

Nancy K Curry (TR) Pro Se

**U.S. Trustee(s):** 

United States Trustee (LA) Pro Se

Los Angeles

Judge Julia Brand, Presiding Courtroom 1375 Calendar

Tuesday, October 18, 2016

**Hearing Room** 

1375

2:00 PM

**2:15-23256** Mirko Pavlovich

Chapter 7

Adv#: 2:15-01650 Sunrise Senior Living Services, Inc. v. Pavlovich et al

#6.00 Pretrial Conference re Complaint to determine

debt to be non-dischargeable and to deny

discharge

fr 2-9-16; 3-8-16; 6-7-16, 6-21-16; 9-27-16

Docket 1

### **Tentative Ruling:**

None.

#### **Party Information**

**Debtor(s):** 

Mirko Pavlovich Represented By

Paulinus E Eichie

**Defendant(s):** 

Mirko Pavlovich Pro Se

Dawn Pavlovich Pro Se

**Joint Debtor(s):** 

Dawn Pavlovich Represented By

Paulinus E Eichie

# Judge Julia Brand, Presiding Courtroom 1375 Calendar

Tuesday, October 18, 2016

**Hearing Room** 

1375

2:00 PM

**CONT...** Mirko Pavlovich

Chapter 7

**Plaintiff(s):** 

Sunrise Senior Living Services, Inc. Represented By

Allan Herzlich

**Trustee(s):** 

Timothy Yoo (TR) Pro Se

**U.S. Trustee(s):** 

United States Trustee (LA) Pro Se